

## REMARKS/ARGUMENTS

This Amendment and Response is promptly filed to place the above-referenced case in condition for immediate acceptance and incorporation of the amendments into the application and claims now allowed.

The status of the claims is as follows:

Cancelled:                      None;

Amended:                      1, 33, and 121;

Added:                         None; and

Currently outstanding:    1-3, 5-9, 11, 30-35, 37-39, 42, 71-80, 82-86, 88-90,  
92-96, 98-99, and 106-121.

No new matter has been added to the application. Request is respectfully made to the Examiner to enter the amendments set forth herein and to provide a supplemental Notice of Allowance. Applicant believes that the amendments incorporated herein do not require an additional search or more than a cursory review of the record. Furthermore, Applicant believes that the amendment would not involve any material or added work on the part of the Office due to the fact that the changes to the claims and particularly the clauses are of minimal nature and consequently of small effect, if any at all.

The claim amendments now set forth the receiving an order of a product from a buyer by a seller as well as receiving commuting route information from a second buyer of the seller. Furthermore, recognition is made by the seller, instead of the server, of the overlapped route segment. These changes to the claims are believed to affect minimally, if at all, the scope of the claims. However, they further indicate the particular entities involved in the transaction.

As a result, the amendments are believed to be needed in order to set forth the claimed subject matter with particularity.

Due to the minimal effect on the claims, the amendments would require no additional search or examination as they would have no effect on the scope of the claims. The claims are patentable as the reasons for allowance stated by the Examiner are not affected by the claim amendments. Furthermore, as no change in the scope of the claims has occurred, no effect on the Examiner's prior indications of patentability and allowance would result. Lastly, these amendments were not presented earlier as Applicant only recently discovered that the claims would be in better condition with the amendments.

In the Notices of Allowance and Allowability, the Examiner indicated that "none of the prior art of record taken individually or in any combination, teach, inter alia, receiving commuting route information including a beginning and an end address from a first and second buyer by the server, selecting a commuting route parameter for each commuting route and calculating by the server a commuting route using the parameter. The server then recognizes an overlapping route segment between the commuting routes, selects a pickup point along this overlapped segment, and dispatches a mobile pickup station containing the product ordered to the selected pickup point" (see page 12-13 of the Notice of Allowance).

Applicant's inclusion of the seller, as well as the recognition of the overlap route segment, generally does not change the subject matter of the claims subject to the Examiner's statement of Reason for Allowance. Consequently, the changes are in conformance with the scope of allowance indicated by the Examiner and require no material burden on the Patent Office in evaluating and incorporating the amendments into the application.

If the Office or Examiner believes that further explanation is necessary or that additional criteria must be met by Applicant in amending these claims after allowance, Applicant respectfully requests the Examiner to indicate same to Applicant and to grant Applicant a reasonable period of time in which to respond.

If the Examiner believes that a telephone or other conference would be of value in expediting the prosecution of the present application, enabling an Examiner's amendment or other meaningful discussion of the case, Applicant invites the Examiner to contact Applicant's representative at the number listed below.

With the above-referenced changes, it is believed that the application is in a condition for allowance; and Applicant respectfully requests the Examiner to pass the application on to allowance. It is not believed that any additional fees are due; however, in the event any

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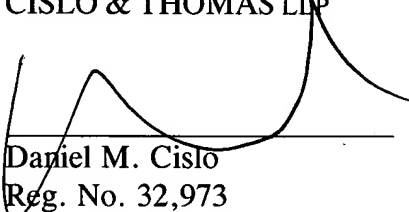
additional fees are due, the Examiner is authorized to charge Applicant's Attorney's Deposit

Account No. 03-2030.

Respectfully submitted,

CISLO & THOMAS LLP

Date: April 19<sup>th</sup>, 2006



Daniel M. Cislo  
Reg. No. 32,973  
Tel.: (310) 451-0647 x128

DMC/ASJ/at

Enclosure

Acknowledgement Postcard

CISLO & THOMAS LLP  
233 Wilshire Boulevard, Suite 900  
Santa Monica, California 90401  
Tel: (310) 451-0647  
Fax: (310) 394-4477  
Customer No.: 25,189  
www.cislo.com

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4/19/06

Daniel M. Cislo, Reg. No. 32,973

Date

## CERTIFICATION OF EMAIL TRANSMISSION

I hereby certify that the following paper(s) Amendment After Allowance Under 37 C.F.R. § 1.312 is/are being by email to the U.S. Patent and Trademark Office at the following email address(es):

Email Address  
beth.vandoren@uspto.gov

Examiner  
Beth Van Doren

GAU  
3623

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Daniel M. Cislo, Reg. No. 32,973

Date